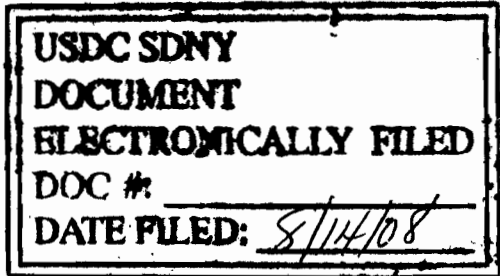


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



**In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

Master File No. 1:00 – 1898
MDL 1358 (SAS)
M21-88

This document relates to:

Basso, et al. v. Sunoco, Inc., et al., 03 Civ. 9050
Tonneson, et al. v. Sunoco, Inc., et al., 03 Civ. 8248

**[PROPOSED] ORDER MODIFYING
CASE MANAGEMENT ORDER NO. 35**

By agreement of the parties and with permission of the Court, Case Management Order
No. 35 ("CMO 35") in the above-captioned action is hereby modified as follows:

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation

<u>Event</u>	<u>Deadline</u>
Plaintiffs' (and third-party plaintiffs') exhibit lists	September 2, 2008
Defendants' (and third-party defendants') witness lists	September 15, 2008
Defendants' (and third-party defendants') exhibit lists	September 29, 2008
Motions in Limine ("MILs") (other than those related to exhibit lists or Friedman & Bruya data) ¹	September 15, 2008
Responses to MILs (other than those related to exhibit lists or Friedman & Bruya data)	October 13, 2008

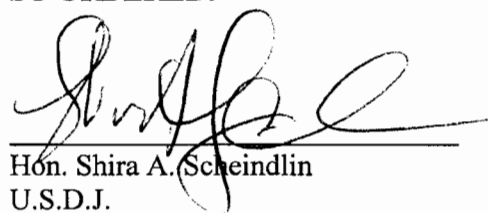
Doc. 1959

¹ Ten days prior to the filing of any MIL required to be filed on this date, a party wishing to file an MIL shall identify in writing to opposing counsel their proposed MIL(s) in an effort to meet-and-confer as to the necessity of such MIL(s). Opposing counsel shall respond within three business days as to whether the proposed MIL(s) will be necessary.

Replies in Support of MILs (other than those related to exhibit lists or Friedman & Bruya data)	October 31, 2008
MILs related to exhibit lists or Friedman & Bruya data	October 3, 2008
Responses to MILs related to exhibit lists or Friedman & Bruya data	November 3, 2008
Replies in support of MILs related to exhibit lists or Friedman & Bruya data	November 24, 2008
Motions for summary judgment regarding causation	October 17, 2008
Responses to motions for summary judgment regarding causation	November 7, 2008
Replies in support of motions for summary judgment regarding causation	November 17, 2008
Parties Exchange Draft Pre-Trial Orders, including Voir Dire Questions, Requests to Charge, Trial Memorandum of Law, and Proposed Verdict Sheets	November 10, 2008
Submission to Court of Final Joint Pre-Trial Order, including elements required by Court's standard Joint Pre-Trial Order Form (unless some requirements are waived or excused)	December 1, 2008
Jury Questionnaires due	December 10, 2008

Dated: New York, New York
August 14, 2008

SO ORDERED:



Hon. Shira A. Scheindlin
U.S.D.J.